

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRADLEY T. PETERSON,

Plaintiff,

v.

Case No. 18-cv-12838
Hon. Matthew F. Leitman

RYAN SMITH, *et al.*,

Defendants.

/

**ORDER (1) CONDITIONALLY APPOINTING
COUNSEL AND (2) STAYING CASE**

In this action, Plaintiff Bradley T. Peterson, appearing *pro se*, brings an excessive force claim against Defendant Ryan Smith, a police officer with the City of Woodhaven Police Department. (*See* Compl., ECF No. 1.) The case is now set for trial. (*See* Certificate of Completion, ECF No. 74.)

Unlike in criminal cases, there is no constitutional or statutory right to the appointment of counsel in civil cases. See *Lavado v. Keohane*, 992 F.2d 601, 605-606 (6th Cir. 1993). However, this district has a procedure in which cases are referred to a *Pro Bono* Committee that requests members of the bar to assist in appropriate cases. On January 11, 2023, the Court entered an order referring Peterson's complaint to the *Pro Bono* Committee, and counsel was appointed to represent Peterson. (*See* Order, ECF No. 76.) However, the attorney that was

appointed to represent Peterson has now retired, and the Court entered an order terminating his appearance in this case on May 25, 2023. (See Order, ECF No. 91.)

As the Court explained when it previously referred this action to the *Pro Bono* Committee, this Court believes that Peterson would benefit from the assistance of appointed *pro bono* counsel for the purposes of assisting him at trial.

Accordingly, this case is again **REFERRED** to the *Pro Bono* Committee, so that the Committee may appoint Peterson new counsel. Peterson is conditionally granted appointment of counsel provided that the committee is successful in enlisting *pro bono* counsel. The Court will also **STAY** this action while the committee attempts to obtain *pro bono* counsel.

IT IS SO ORDERED.

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: June 15, 2023

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on June 15, 2023, by electronic means and/or ordinary mail.

s/Holly A. Ryan

Case Manager

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